

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.

ANDREW PETER SOLOMON,
Defendant.

CASE NO. CR19-142RAJ

ORDER CONTINUING TRIAL DATE
AND PRETRIAL MOTIONS DEADLINE

THIS MATTER comes before the Court upon defense counsel Timothy Lohraff's Motion to Continue Trial Date and Pretrial Motions Deadline (Dkt. #32). Having considered the motion, which is not opposed by the Government, the Court finds good cause to grant the motion over Defendant Solomon's objection.

The Court further finds:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's medical issues as set forth in his motion, and the need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

1 (c) the additional time requested is a reasonable period of delay, as defense
2 counsel has requested more time to prepare for trial, to investigate the matter, to gather
3 evidence material to the defense, and to consider possible defenses; and

4 (d) the ends of justice will best be served by a continuance, and the ends of justice
5 outweigh the best interests of the public and the defendant in any speedier trial, as set
6 forth in 18 U.S.C. § 3161(h)(7)(A); and

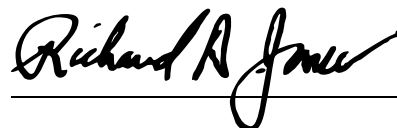
7 (e) the additional time requested between the current trial date of March 30, 2020,
8 and the new trial date is necessary to provide counsel for the defendant the reasonable
9 time necessary to prepare for trial, considering counsel's medical issues and all of the
10 facts set forth above.

11 In addition, the Court finds good cause to continue the trial date pursuant to
12 General Order 02-20 re: Court Operations Under the Exigent Circumstances Created by
13 COVID-19 and Related Coronavirus.

14 IT IS ORDERED that the motion to continue trial date and pretrial motions
15 deadline (Dkt. #32) is GRANTED. The trial date in this case is continued from
16 March 30, 2020, to June 8, 2020. All pretrial motions, including motions in limine, shall
17 be filed no later than May 7, 2020.

18 Given the findings of General Order 02-20, the period of delay from the date of
19 this order to the new trial date of June 8, 2020, is excludable time under the Speedy Trial
20 Act, as the Court specifically finds that the ends of justice served by ordering the
21 continuance outweigh the best interests of the public and any defendant's right to a
22 speedy trial, pursuant to 18 U.S.C. §3161(h)(7)(A).

23
24 DATED this 25th day of March, 2020.

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27 The Honorable Richard A. Jones
28 United States District Judge